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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/787,303	03/16/2001	Kazuo Ishiwari	0020-4834P	9616

2292 7590 07/23/2003

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EXAMINER

RHEE, JANE J

ART UNIT	PAPER NUMBER
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1772

DATE MAILED: 07/23/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

AS-14

Advisory Action

Application No.

09/787,303

Applicant(s)

ISHIWARI ET AL.

Examiner

Jane J Rhee

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1772

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 10 July 2003 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b)]

- a) ☒ The period for reply expires 4 months from the mailing date of the final rejection.
- b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☐ The proposed amendment(s) will not be entered because:
- (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
 - (b) ☐ they raise the issue of new matter (see Note below);
 - (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
 - (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____

3. ☐ Applicant's reply has overcome the following rejection(s): _____.
4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: see attachment.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☒ For purposes of Appeal, the proposed amendment(s) a) ☐ will not be entered or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: _____.

Claim(s) objected to: _____.

Claim(s) rejected: 1-3, 9-16.

Claim(s) withdrawn from consideration: _____.

8. ☐ The proposed drawing correction filed on _____ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____.
10. ☐ Other: _____



ALEXANDER S. THOMAS
PRIMARY EXAMINER

ADVISORY ACTION

Response to Arguments

1. Applicant's arguments filed 7/10/03 have been fully considered but they are not persuasive.

In response to applicant's argument that Ebnesajjad fails to disclose or suggest how to make a PTFE cylinder having a length of at least 800 mm as in the present invention, while advantageously avoiding deformation problems which occur when producing PTFE articles of this large size, Ebnesajjad discloses cylindrical billets of various sizes were formed by compaction at room temperature under various pressures (col.5 lines 14-15) therefore, it would have been obvious to one having ordinary skill in the art at the time applicant's invention was made to varied the size of the height depending on the use of the cylindrical billet since such a modification would have involved a mere change of size of a component. A change in size is generally recognized as being within the level of ordinary skill art in absence of unexpected results. In re Rose, 105 USPQ 237, (CCPA 1955). As to applicant's present invention advantageously avoiding deformation problems, which occur when producing PTFE articles of this large size, Ebnesajjad discloses in col. 9 lines 41-42, that all billets were free from deformations, cracks, and discoloration.

In response to applicant's argument that the size of Ebnesajjad is much smaller than the molded article of the present claim 1 therefore the pressure applied to the bottom surface of the small billet is much smaller that the pressure applied to the bottom


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surface of the molded article having the height of 800mm, and furthermore the deformation amount of a billet having a small size near the bottom surface is very small but the deformation amount of a molded article having a large size near the bottom surface is very large, the present invention has substantially the same melt viscosity as disclosed by Ebnesajjad (col. 1 line 53) and states in col. 4 lines 11-15 that the amount of deformation that is acceptable is to some degree a function of the melt viscosity of PTFE, and that gravitational sag can occur for large articles molded from the resin having a melt viscosity at the low end of the range for PTFE. If Ebnesajjad and applicant's present invention have the same melt viscosity then the deformation amounts would be the same since Ebnesajjad teaches that the amount of deformation is to some degree a function of the melt viscosity of PTFE.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jane J Rhee whose telephone number is 703-605-4959. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Harold Pyon can be reached on 703-308-4251. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9310 for regular communications and 703-872-9311 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0661.


Jane Rhee
7/21/03